

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)	
)	
of the Educator Certificate of)	ORDER OF SUSPENSION
)	(BREACH OF CONTRACT)
Jacqueline H. Fennell)	
)	
Certificate 904530)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on December 14, 2005. On October 17, 2005, the Department of Education (Department) sent Jacqueline H. Fennell a notice of her right to a hearing regarding the possible suspension of her South Carolina educator certificate by regular and certified mail, return receipt requested, delivery restricted to addressee. Ms. Fennell received the notice, as evidenced by the signed postal receipt bearing her signature. Ms. Fennell did not request a hearing within the time frame specified in the notice letter. After considering the information presented, the State Board voted to suspend Ms. Fennell's certificate for one year.

FINDINGS OF FACT

Ms. Fennell holds a valid South Carolina educator's certificate and has one year of teaching experience. She was under contract for the 2005-2006 school year with Greenville County School District (District) and was assigned as a Health Sciences teacher at Golden Strip Career Center. On August 4, 2005, Ms. Fennell notified her Principal by email that she was resigning her position, effective that day. On September 14, 2005, the District Superintendent notified Ms. Fennell that her resignation was not in compliance with District policy. Ms. Fennell did not return to work, and on September 27, 2005, the District Board of Trustees voted to request suspension of Ms. Fennell's certificate as a result of her breach of contract.

CONCLUSIONS OF LAW

The State Board may suspend the certificate of any person for unprofessional conduct. S.C. Code Ann. §§ 59-25-150 and 160 (2004). Breach of contract is deemed to be unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that the information presented supports its determination that just cause exists to suspend Ms. Fennell's certificate 904530 for a period of one year, from December 14, 2005, through December 13, 2006. Should Ms. Fennell wish to have her certificate reinstated at the end of the suspension period, she may make a written request for reinstatement to the Office of Educator Certification.

South Carolina State Board of Education

By: /S/ Paul M. Forrester

Paul M. Forrester, Chair

Columbia, South Carolina
December 14, 2005